

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RYDEX TECHNOLOGIES LLC,

Plaintiff,

v.

SMITH & NEPHEW, INC, and
SMITH & NEPHEW PLC,

Defendants.

C.A. No. 13-674 (LPS)

JURY TRIAL DEMANDED

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, by their undersigned counsel and subject to the approval of the Court, that all claims between Plaintiff Rydex Technologies LLC, and Defendants Smith & Nephew, Inc., and Smith & Nephew PLC, in the above-captioned action are hereby dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each party to bear its own costs, expenses and attorneys' fees.

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Attorneys for Defendants

SO ORDERED this ____ day of _____, 2013.

UNITED STATES DISTRICT JUDGE